

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JEROME CEASAR ALVERTO,

Petitioner,

v.

MICHAEL OBENLAND,

Respondent.

CASE NO. C13-5490 RJB-KLS

ORDER REQUIRING RESPONDENT  
TO RESPOND TO PETITIONER'S  
MOTION FOR AN EXTENSION OF  
TIME

This is a federal habeas action filed pursuant to 28 U.S.C. § 2254. The undersigned Magistrate Judge stayed this action so that petitioner could exhaust two claims that were pending before the Washington State Court of Appeals Cause No. 44098-9-II. Dkt. 22. Respondent agreed that the action should be stayed. Dkt. 19. The undersigned has extended the stay three times. Dkt. 25, 29 and 31.

Petitioner again asks for an extension of the stay (Dkt. 34), but he does not inform the Court of the status of personal restraint petition in Cause No. 44098-9-II. Instead petitioner references several other pleadings he has filed in state court since the stay in this action was entered.

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TIME - 1


1 Under the circumstances, the undersigned would like input from respondent regarding  
2 continuing the stay in this action. Accordingly the respondent is ordered to file a response to  
3 petitioner's motion on or before January 16, 2015. The response should inform the Court of the  
4 status of the petition filed under Cause No. 44098-9-II and whether or not the Respondent agrees  
5 that continuation of the stay is proper.

6 Petitioner may file a reply of not more than five pages by January 23, 2015. Petitioner's  
7 motion to extend the stay (Dkt. 34) is re-noted for January 23, 2015. The undersigned orders that  
8 this case remains stayed until the ruling on petitioner's motion to extend the stay is entered.

9 SUMMARY

10 The clerk is directed to renote the petitioner's motion for extension of time (Dkt. 34) to  
11 January 23, 2015.

12 Dated this 23<sup>rd</sup> day of December, 2014.

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16 Karen L. Strombom  
17 United States Magistrate Judge  
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